

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

WALTER BECK CORPORATION d/b/a THE	)	CIVIL DIVISION
RAINBOW INN,	)	
	)	Civil Action No. 04-348 - Erie
Plaintiff,	)	
vs.	)	JUDGE MAURICE B. COHILL, JR.
	)	
SAFECO CORPORATION, AMERICAN	)	
ECONOMY INSURANCE COMPANY, and	)	
AMERICAN STATES INSURANCE	)	
COMPANY,	)	
	)	
Defendants.	)	

**APPENDIX TO  
CONCISE STATEMENT OF MATERIAL FACTS IN SUPPORT OF  
PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT  
AND BRIEF IN SUPPORT OF MOTION FOR PARTIAL SUMMARY JUDGMENT**

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- Ex. 7, 1/3/2004 Letter from Harold Beck to Paul Smith with "Inventory," "Liquor Inventory," and "Food and Beer Inventory"
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- Ex. 12, 6/2/2004 Letter from Harold Beck to Paul Smith

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<sup>1</sup> Each of the depositions included in this Appendix have been submitted in condensed transcript form without exhibits. Certainly, should the Court require or prefer that standard transcripts and/or exhibits filed, plaintiff will do so immediately upon request.

Ex. 13, 6/10/2004 Letter from Harold Beck to Paul Smith  
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Ex. 30, 11/8/2006 Letter from Richard T. Victoria to Daniel McDyer  
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Respectfully submitted,

/s/ Richard T. Victoria  
Richard T. Victoria  
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing APPENDIX TO CONCISE STATEMENT OF MATERIAL FACTS IN SUPPORT OF PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT AND BRIEF IN SUPPORT THEREOF was served upon counsel for the Defendant by electronic service this 6<sup>th</sup> of December, 2006 at the following address

Daniel P. McDyer, Esquire  
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/s/ Richard T. Victoria

Richard T. Victoria